

REMARKS:

Claims 1, 3-7, 11, 12, 14-16, and 20-28 are presently pending in the application. Claims 1 and 12 are in independent form.

The Examiner rejected claims 25 and 28 under §112, second paragraph because the Examiner argued that the phrase "belt position" was unclear. By this amendment, Applicant has deleted the phrase, and the rejection has been overcome.

Claims 1, 3, 4, 7, 11, and 21-23 were rejected under §103 over Osborn in view of Yamamura. Osborn lacks the protrusions required by the Applicant's claims. Osborn teaches a "very thin and flexible" tape (col. 4, lines 17-18) so that it can be twisted. In fact, the tape is only 0.040" thick (col. 4, lines 27-32) of woven material such as used for seat belts so that it can be twisted. As a result, there is no way to incorporate the timing belt of Yamamura and the proposed combination is improper. The Examiner has the burden of showing why one of ordinary skill in the art would modify Osborn with Yamamura based upon the teachings of those references. Specifically, the Examiner has failed to demonstrate how the thin belt of Osborn would incorporate the protrusions of Yamamura based upon the teachings of those references. How would one make protrusions out of the thin woven material that is "commonly used in seat belts?" The references provide no teachings to one of ordinary skill as to how this would be done. As a result, the references cannot properly be combined.

Claims 21-23 are also allowable over Osborn and Yamamura because the references do not disclose the limitations recited in these claims. The Examiner under the "Response to Arguments" section refers to Colell, however, this rejection does not rely upon Colell. Accordingly, the Examiner at a minimum must withdraw the rejection of claims 21-23 under this combination.

In the last Office Action, the Examiner provided a new rejection to claims 1, 3, 4, 21, and 25-28 under §103 over LeCompagnon in view of Colell. The Examiner relies upon Colell to provide a belt having a plurality of protrusions. The Examiner argues that the motivation to modify LeCompagnon would be "to provide a more efficient means for transmitting force between the motor and glass support member." However, there is no teachings in the references to this effect. Why does the Examiner feel that LeCompagnon is inefficient? Why would one of ordinary skill use the belt of Colell instead? The Examiner is clearly picking and choosing elements from the reference to assemble all of the claim terms. As such, the rejection
